

**DECEMBER 17, 2007
PARMA CITY HALL COUNCIL CHAMBER
REGULAR COUNCIL MEETING
7:00 P.M.**

The Regular Council Meeting was called to order by President of Council Charles M. Germana presiding:

COUNCIL MEMBERS PRESENT:

SEAN P. BRENNAN
NICHOLAS J. CELEBREZZE
BRIAN DAY
MARY GALINAS
ROY J. JECH
LARRY NAPOLI
KENNETH A. RAMSER
THOMAS J. REGAS
SCOTT M. TUMA

The following officials and department heads were also present: Mayor Dean E. DePiero, Law Director Timothy G. Dobeck, Auditor Dennis M. Kish, Treasurer Anthony C. Zielinski, Safety Director Gregory Baeppler, Assistant Building Commissioner Don Graves, Recreation Commissioner Mickey Vittardi, Senior Citizen Director Jo Ann Mason, Community Development Director Erik Tollerup, Economic Development Officer/Grant Writer Shelley Cullins, Director of Public Housing Lev Kulchytsky, and Clerk of Council Tom Mastroianni.

INVOCATION

The Invocation was given this evening by Chaplain Colonel Gary E. Hill.

PLEDGE OF ALLEGIANCE

VOICE VOTE:

RESOLUTION NO. 399-07 12/17/07 L-398-07

BY: **T. REGAS**, S. P. BRENNAN, N. J. CELEBREZZE, B. DAY, M. GALINAS, R. J. JECH,
L. NAPOLI, K. A. RAMSER, S. M. TUMA

A RESOLUTION HONORING CHAPLAIN COLONEL GARY E.
HILL ON HIS RETIREMENT FROM THE ARMY NOVEMBER 30,
2007

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Resolution No. 399-07. Motion carried.

Mr. Germana – Asked Chaplain Colonel Gary Hill to come forward and that the Clerk of Council read the Resolution in its entirety.

Councilman Brennan – Presented the Resolution to Chaplain Colonel Gary Hill.

Mayor DePiero – Presented a Proclamation to Chaplain Colonel Gary Hill.

Chaplain Colonel Gary Hill – Thanked Council and the Mayor for the recognition.

VOICE VOTE CONTINUED:

RESOLUTION NO. 380-07 12/17/07 L-379-07
BY: **L. NAPOLI, T.J. REGAS, S. P. BRENNAN, N. J. CELEBREZZE, B. DAY, M. GALINAS,**
R. J. JECH, K. A. RAMSER, S. M. TUMA

**A RESOLUTION HONORING THE NORMANDY INVADERS
FOOTBALL TEAM NORTHEAST OHIO CONFERENCE
LAKE DIVISION CHAMPIONS**

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Resolution No. 380-07. Motion carried.

Mr. Germana – Asked that Coach Turner and the Captains of the Normandy Invaders Football Team come forward and that the Clerk of Council read the Resolution in its entirety.

Councilman Regas and Councilman Napoli – Presented the Resolution to Coach Turner and the Captains of the Normandy Invaders Football Team.

Mayor DePiero – Presented a Proclamation to Coach Turner and the Captains of the Normandy Invaders Football Team.

Coach Turner – Thanked Council for the Resolution and the Mayor for the Proclamation.

RESOLUTION NO. 340-07 12/17/07 L-340-07
BY: **S. P. BRENNAN, N. J. CELEBREZZE, B. DAY, M. GALINAS, R. J. JECH, L. NAPOLI,**
K. A. RAMSER, T. J. REGAS, S. M. TUMA

**A RESOLUTION HONORING AND CONGRATULATING
PARMA'S GRADUATING COMMUNITY EMERGENCY
RESPONSE TEAMS 2007**

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Resolution No. 340-07. Motion carried.

Mr. Germana – Asked the graduates to come forward and that the Clerk of Council read the Resolution in its entirety.

Councilwoman Galinas – Presented the Resolution to the graduates.

Mayor DePiero – Congratulated the graduates.

Mayor DePiero – Presented an award to the November, 2007 Citizen of the Month to David Lyncheck.

David Lyncheck – Thanked the Mayor for the award.

LEGISLATIVE COMMENT

Mr. Germana – Asked if anyone from the public would like to comment on any legislation that Council will be taking final action on tonight. No one wished to comment.

DISPOSAL OF THE JOURNAL

Mr. Germana – Stated, you have before you the Minutes from the Regular Council Meeting of November 19, 2007, and the Minutes from the Special Council Meeting of December 10, 2007. Asked if there were any additions or corrections to these Minutes. Stated, seeing none, the Minutes will stand approved as printed.

COMMUNICATIONS, PETITIONS, AND CLAIMS

Communication dated November 27, 2007, from Senator Dale Miller, 23rd Ohio Senate District, Ohio Senate, Senate Building, Columbus, Ohio 43215 thanking us for a copy of Council's Resolution No. 301-07 in support of H.B. 246, which would require the owner of any licensed concession, licensed amusement ride, or any person licensed to operate a food establishment to provide the name and address of all employees to the police upon request.

Notice to Legislative Authority, Ohio Division of Liquor Control, 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005, Permit Number 55449160030, for a D2 Liquor Permit for Mario's Beauty Salon, Inc., 7155 W. Pleasant Valley Road, Parma, Ohio 44129 . Mailed December 10, 2007. Responses must be postmarked no later than January 10, 2008.

Notice to legislative Authority, Ohio Division of Liquor Control, 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005, Permit Number 1268382 for a D1, D2, D3, D3A, D6 Liquor Permit for Carmita, Inc., dba Characters Sports Bar & Grill, 6007 Brookpark Road, Parma, Ohio 44129. Mailed November 30, 2007. Responses must be postmarked no later than December 31, 2007.

Mr. Germana – Said Liquor Permits will be referred to the Safety Director and to Ward Council.

Communication from Law Director Timothy Dobeck requesting Council approve legal representation of the following: Gregory Baeppler and John French, who have been named as defendants in the case of Joseph Slokar v. City of Parma, et al. Cuyahoga County Common Pleas Case No. CV-07-643260.

Motion made by Councilman Brennan, seconded by Councilman Day, to approve legal representation to Gregory Baeppler and John French. Motion carried.

ORDINANCES AND RESOLUTIONS

Motion made by Councilman Brennan, seconded by Councilman Day, to amend the calendar by adding Ordinance No. 403-07 under Suspension of the Rules. Further moved to waive the three-day rule on Ordinance No. 403-07 under Suspension of the Rules. Motion carried.

FIRST READING:

ORDINANCE NO. 387-07 12/17/07 L-386-07

BY: **S. M. TUMA**

(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE
DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A
CONTRACT EXTENSION WITH ALLIED WASTE (FORMERLY
BROWNING-FERRIS INDUSTRIES OF OHIO, INC.) FOR
TRASH HAULING IN THE CITY OF PARMA, AND DECLARING
AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

FIRST READING CONTINUED:

ORDINANCE NO. 392-07 12/17/07 L-391-07
BY: **L. NAPOLI, R. J. JECH, B. DAY**

AN ORDINANCE AUTHORIZING THE DIRECTOR OF
PUBLIC SERVICE TO ENTER INTO A GRANT OF
CONSERVATION EASEMENT AGREEMENT, AND
DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Environmental Standards
Committee.

ORDINANCE NO. 398-07 12/17/07 L-397-07
BY: **S. M. TUMA**
(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR TO
ENTER INTO A CONTRACT FOR STATE LEVEL
CONSULTING SERVICES FOR THE CITY, AND
DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance will be referred to the Finance Committee.

SECOND READING:

ORDINANCE NO. 374-07 12/3/07 L-373-07
BY: **S. M. TUMA**
(By Request – Community Services Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
SERVICE, OR HIS AUTHORIZED REPRESENTATIVE, TO EXTEND
THE CONTRACT WITH SALVATORE CONSIGLIO, CPA, INC., FOR
THE PREPARATION OF VARIOUS DETAILED FINANCIAL REPORTS
ON A MONTHLY BASIS AND FEDERAL CASH TRANSACTION
REPORTS ON A QUARTERLY BASIS TO BE FILED WITH THE
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
FOR THE DEPARTMENT OF COMMUNITY SERVICES & ECONOMIC
DEVELOPMENT FOR THE PERIOD OF FEBRUARY 1, 2008, THROUGH
JANUARY 31, 2009, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to refer Ordinance No.
374-07 back to the Finance Committee. Motion carried.

ORDINANCE NO. 382-07 12/3/07 L-381-07
BY: **M. GALINAS**
(By Request – Safety Director)

AN ORDINANCE TO ACCEPT AS A DONATION AN ANTIQUE
FIRE TRUCK (CIRCA 1938) FROM SHERMAN ALLEN, A
RESIDENT OF THE CITY OF PARMA, OHIO, AND DECLARING
AN EMERGENCY

SECOND READING CONTINUED:

Motion made by Councilwoman Galinas, seconded by Councilman Day, to refer Ordinance No. 382-07 back to the Public Safety Committee. Motion carried.

SECOND READING SUSPENSION OF THE RULES:

ORDINANCE NO. 376-07 12/3/07 L-375-07

BY: **S. M. TUMA**

(By Request – Service Director)

AN ORDINANCE TO AMEND A PORTION OF EXHIBIT "A"
OF ORDINANCE NO. 423-06 RELATIVE TO THE POSITION
OF SOCCER REFEREE WITHIN THE DIVISION OF PARKS
& RECREATION, AND DECLARING AN EMERGENCY

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Ordinance No. 376-07 on three different days be dispensed with?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Ordinance No. 376-07.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Ordinance No. 376-07 is adopted.

ORDINANCE NO. 377-07 12/3/07 L-376-07

BY: **S. M. TUMA**

(By Request – Service Director)

AN ORDINANCE TO AMEND A PORTION OF
SUBSECTION (b) "RECREATION DEPARTMENT" OF
SECTION 185.05 "FEES OF THE DIRECTOR OF PUBLIC
SERVICE" OF THE CODIFIED ORDINANCES OF THE
CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Ordinance No. 377-07 on three different days be dispensed with?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Ordinance No. 377-07.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Ordinance No. 377-07 is adopted.

SECOND READING SUSPENSION OF THE RULES:

ORDINANCE NO. 391-07

12/10/07

L-390-07

(Special Meeting)

BY: **S. M. TUMA**

AN ORDINANCE AUTHORIZING THE DISSOLUTION OF THE HERITAGE MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND, AND AUTHORIZING THE EXECUTION, DELIVERY, FILING AND PERFORMANCE OF DOCUMENTS, AND THE TAKING OF FURTHER ACTIONS, IN CONNECTION THEREWITH AND IN CONNECTION WITH THE TERMINATION OF A TAX INCREMENT FINANCING AGREEMENT, AND DECLARING AN EMERGENCY

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Ordinance No. 391-07 on three different days be dispensed with?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Ordinance No. 391-07.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Ordinance No. 391-07 is adopted.

THIRD READING:

RESOLUTION NO. 239-06

7/5/06

L-235-06

BY: **M. GALINAS, L. NAPOLI**

A RESOLUTION IN SUPPORT OF THE MANHATTAN SEWER IMPROVEMENT AND AUTHORIZING THE ASSESSMENT FOR THE CITY'S SHARE OF THE IMPROVEMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Resolution No. 239-06.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Resolution No. 239-06 is adopted.

ORDINANCE NO. 320-07

10/15/07

L-12-06

BY: **M. GALINAS**

AN ORDINANCE TO ENACT SUBSECTION (e) OF SECTION 351.12 "PARKING ON PRIVATE OR PUBLIC PROPERTY" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Galinas, seconded by Councilman Day, to refer Ordinance No. 320-07 back to the Public Safety Committee. Motion carried.

THIRD READING CONTINUED:

ORDINANCE NO. 355-07

11/19/07

L-354-07

(As amended)

BY: **S. P. BRENNAN**

(By Request – Mayor)

AN ORDINANCE TO AMEND A PORTION OF EXHIBIT "A"
OF ORDINANCE NO. 423-06 RELATIVE TO THE
COMPENSATION FOR THE POSITION OF CIVIL SERVICE
COMMISSIONERS, AND DECLARING AN EMERGENCY

Motion made by Councilman Brennan, seconded by Councilman Day, to amend Ordinance No. 355-07 by accepting Revised Exhibit "A". Also moved to waive Rule 51 and place Ordinance No. 355-07 as amended on Third Reading for passage. Motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Ordinance No. 355-07 as amended.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Ordinance No. 355-07 is adopted as amended.

ORDINANCE NO. 357-07

11/19/07

L-357-07

BY: **R. J. JECH, S. P. BRENNAN**

(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
INTO AN AGREEMENT WITH TUCKER, ELLIS & WEST FOR
PROFESSIONAL SERVICES RELATIVE TO THE
PRODUCTION OF A P.25 COMPLIANT RADIO NETWORK,
AND DECLARING AN EMERGENCY

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Ordinance No. 357-07.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Ordinance No. 357-07 is adopted.

ORDINANCE NO. 365-07

11/19/07

L-365-07

BY: **S. M. TUMA, L. NAPOLI, S. P. BRENNAN**

(By Request – Treasurer)

AN ORDINANCE AUTHORIZING THE TREASURER TO
ENTER INTO A CONTRACT WITH THE LOWEST AND
BEST BIDDER FOR TAX SOFTWARE, AND DECLARING
AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to amend Ordinance No. 365-07 as follows: In Section 1., Line 2., after the word "with" add the words "Creative Microsystems, Inc.", and on Line 3., after the word "of" add the amount "\$117,731.00". In Section 3., the Fund Number is "405" and the Account Number is "68006-36507". In the heading and in Section 1. change the word "Treasurer" to "Mayor". Also moved to waive Rule 51 and place Ordinance No. 365-07 as amended on Third Reading for passage. Motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Ordinance No. 365-07 as amended.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Ordinance No. 365-07 is adopted.

SUSPENSION OF THE RULES:

RESOLUTION NO. 393-07 12/17/07 L-392-07
BY: **L. NAPOLI**, S. P. BRENNAN, N. J. CELEBREZZE, B. DAY, M. GALINAS, R. J. JECH,
K. A. RAMSER, T. J. REGAS, S. M. TUMA

A RESOLUTION REQUESTING THE BUILDING
COMMISSIONER TO INSTITUTE SUMMARY
NUISANCE ABATEMENT OF PERMANENT PARCEL
NUMBER 451-04-078, 3813 CENTER DRIVE, PARMA,
OHIO, AND DECLARING AN EMERGENCY

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Resolution No. 393-07 on three different days be dispensed with?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with and Resolution No. 393-07 be placed on final passage?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Resolution No. 393-07.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Resolution No. 393-07 is adopted.

ORDINANCE NO. 394-07 12/17/07 L-394-07
BY: **S. M. TUMA**
(By Request – Auditor)

AN ORDINANCE TO AMEND THE 2007 PERMANENT
APPROPRIATIONS OF THE CITY OF PARMA, OHIO,
AND DECLARING AN EMERGENCY

Mr. Germana – Shall the statutory provision and rule 47 requiring the full and distinct Reading of Ordinance No. 394-07 on three different days be dispensed with?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with and Ordinance No. 394-07 be placed on final passage?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Motion made by Councilman Tuma, seconded by Councilman Day, to amend Ordinance No. 394-07 by accepting the attached Exhibit "A". Also, on P. 4. of the Exhibit, change Fund No. 101 from "\$1,455,953.00" to "\$1,475,900.00". The total under that Fund will be "\$1,475,900.00". Motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Ordinance No. 394-07 as amended.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Ordinance No. 394-07 is adopted as amended.

SUSPENSION OF THE RULES CONTINUED:

ORDINANCE NO. 395-07

12/17/07

L-394-07

BY: **S. M. TUMA**

(By Request – Auditor)

AN ORDINANCE AUTHORIZING THE TRANSFER OF
APPROPRIATIONS WITHIN THE 2007 PERMANENT
APPROPRIATIONS OF THE CITY OF PARMA, AND
DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to Table Ordinance No. 395-07. Motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to Reconsider Ordinance No. 395-07. Motion fails. Ordinance No. 395-07 is Tabled.

RESOLUTION NO. 396-07

12/17/07

L-395-07

BY: **S. M. TUMA**

(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S
CASH TRANSFERS, AND DECLARING AN EMERGENCY

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Resolution No. 396-07 on three different days be dispensed with?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with and Resolution No. 396-07 be placed on final passage?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Motion made by Councilman Tuma, seconded by Councilman Day, to amend Resolution No. 396-07 by accepting the attached Exhibit "A". Motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Resolution No. 396-07 as amended.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Resolution No. 396-07 is adopted as amended.

ORDINANCE NO. 397-07

12/17/07

L-396-07

BY: **S. P. BRENNAN**, N. J. CELEBREZZE, B. DAY, M. GALINAS, R. J. JECH, L. NAPOLI,
K. A. RAMSER, T. J. REGAS, S. M. TUMA

(By Request – Human Resources Director)

AN ORDINANCE APPROVING AND RATIFYING
A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE
CITY OF PARMA AND THE OHIO COUNCIL OF THE
AMERICAN FEDERATION OF STATE, COUNTY, AND
MUNICIPAL EMPLOYEES, AFL-CIO REPRESENTING THE
POLICE RECORD ROOM CLERKS, FOR THE PERIOD OF
APRIL 1, 2006, THROUGH MARCH 31, 2009, PURSUANT
TO CHAPTER 4117 OF THE OHIO REVISED CODE, AND
DECLARING AN EMERGENCY

SUSPENSION OF THE RULES CONTINUED:

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Ordinance No. 397-07 on three different days be dispensed with?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with and Ordinance No. 397-07 be placed on final passage?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to amend Ordinance No. 397-07 by accepting the attached Exhibit "A". Motion carried.

Mayor DePiero – Stated, the Records Clerks are 8 individuals in the AFSCME Union. They work at the Justice Center under the Safety Director and Police Chief.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Ordinance No. 397-07 as amended.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Ordinance No. 397-07 is adopted as amended.

ORDINANCE NO. 400-07 12/17/07 L-399-07
BY: **L. NAPOLI**, S. P. BRENNAN, N. J. CELEBREZZE, B. DAY, M. GALINAS, R. J. JECH,
K. A. RAMSER, T. J. REGAS, S. M. TUMA
(By Request – City Engineer/Building Commissioner)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
INTO A MEMORANDUM OF UNDERSTANDING WITH
THE CUYAHOGA SOIL AND WATER CONSERVATION
DISTRICT FOR TASKS RELATED TO THE PUBLIC
EDUCATION, PUBLIC INVOLVEMENT, PLAN REVIEWS
AND CONSTRUCTION SITE INSPECTION ACTIVITIES
WITH REGARDS TO STORM WATER MANAGEMENT IN
THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Ordinance No. 400-07 on three different days be dispensed with?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with and Ordinance No. 400-07 be placed on final passage?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Mayor DePiero – Stated, Mr. Deichmann works closely with Cuyahoga Soil and Water Conservation. They review many of the plans that come before the Building Department and Planning Commission any time there is a proposal for grade change, new structure, etc., and make sure that we are in compliance with storm water regulations, pursuant to the EPA.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Ordinance No. 400-07.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Ordinance No. 40-07 is adopted.

SUSPENSION OF THE RULES CONTINUED:

ORDINANCE NO. 401-07

12/17/07

L-400-07

BY: **L. NAPOLI**

AN ORDINANCE TO AMEND SECTION 3 OF ORDINANCE NO. 316-07 TO INCLUDE A FUND NUMBER FOR SANITARY SEWER IMPROVEMENTS FOR THE GREEN VALLEY ROAD, DAVID AVENUE, ORCHARDVIEW DRIVE, HOWARD STREET AND ROBERT DRIVE SANITARY SEWER PROJECT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Ordinance No. 401-07 on three different days be dispensed with?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with and Ordinance No. 401-07 be placed on final passage?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Ordinance No. 401-07.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Ordinance No. 401-07 is adopted.

RESOLUTION NO. 402-07

12/17/07

L-401-07

BY: **S. M. TUMA**

(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S CASH ADVANCES, AND DECLARING AN EMERGENCY

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Resolution No. 402-07 on three different days be dispensed with?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with and Resolution No. 402-07 be placed on final passage?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Motion made by Councilman Tuma, seconded by Councilman Day, to amend Resolution No. 402-07 by accepting the attached Exhibit "A". Motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Resolution No. 402-07 as amended.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Resolution No. 402-07 is adopted as amended.

SUSPENSION OF THE RULES CONTINUED:

ORDINANCE NO. 403-07

12/17/07

L-402-07

BY: **S. M. TUMA**

AN ORDINANCE AMENDING ORDINANCE NO. 317-07,
WHICH PROVIDED FOR LEVYING OF SPECIAL
ASSESSMENTS FOR IMPROVEMENTS TO
DAVID AVENUE, GREEN VALLEY DRIVE, HOWARD
STREET, ORCHARDVIEW AVENUE, ROBERT STREET
AND HILLCREST LANE IN THE CITY OF PARMA,
CONSISTING OF THE CONSTRUCTION OF SANITARY
SEWERS TOGETHER WITH ALL NECESSARY APPURTENANCES
THERE TO, AND DECLARING AN EMERGENCY

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Ordinance No. 403-07 on three different days be dispensed with?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with and Ordinance No. 403-07 be placed on final passage?

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; motion carried.

Motion made by Councilman Tuma, seconded by Councilman Day, to amend Ordinance No. 403-07 as follows: In Section 2, Line 7., after the word "within" add "seventy-five (75)", and on Line 9., after the word "that" add the words "seventy-five (75)". Motion carried.

Motion made by Councilman Brennan, seconded by Councilman Day, to adopt Ordinance No. 403-07 as amended.

Yes: Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas, Tuma.

No: None; Ordinance No. 403-07 is adopted as amended.

APPOINTMENTS AND CONFIRMATIONS

Motion made by Councilman Ramser, seconded by Councilman Day, to re-appoint Kenneth Dworzniak and Dorothy Maryanski to the Fair Housing Review Board. Their terms will expire on December 31, 2007. Their new appointments would be for a 3-year term ending on December 31, 2010. Motion carried.

Motion made by Councilman Ramser, seconded by Councilman Day, to appoint Timothy A. Boyko as Chairman of the Civil Service Commission. Term beginning January 1, 2008 and ending December 31, 2013. Motion carried.

PUBLIC SESSION

Mr. Frank Sara, 1305 Mazepa Trail – Apologized to the Administration and Council members for being too loud last week while discussing the maintenance Ordinance. Stated, he does not oppose the sewer maintenance repair program, but he opposes the means of the intent to finance it. Asked Council to hold this legislation until February so that there can be more discussion on it. Plans to submit an alternate plan to the Administration that will be more acceptable and less of a hardship to the residents.

Mr. Martin Drabek, 7696 Cecilia Drive – Stated, regarding the Ordinance for the sewers, it is his understanding that it is an open-end contract. Asked what is it going to cost in the end. Stated he hears that it will be \$1.75 a linear foot. Parma Post says it's \$2.15 a linear foot. The people should know what the actual price is going to be. Asked if the price will remain and the

PUBLIC SESSION CONTINUED:

same, or will it be incremented every year. Parma is going to be 40% of the County's budget. Asked if we will be getting 40% of the County's attention.

MISCELLANEOUS BUSINESS

Mayor DePiero – With regard to the County Sanitary Engineer contract, the cost per linear foot is \$2.15 - \$1.75 of that is for the sanitary sewer component, \$.25 of that is for the storm component, and \$.15 is for the water component. The contract is a year-to-year with the County Sanitary Engineer. There will be no cost to the residents in 2008, although the County will begin the process in 2008.

Stated that he talked with a number of Mayors. There are about 30 in the County. This is being proposed the same way in every community in the County. Our proposal is lower than most of the other cities. The EPA is getting tougher. Stated he doesn't want to see an EPA mandate here in two years. Stated they had a very good meeting with the County Engineer today, and they will be looking to move on this Ordinance sometime in mid to late January.

Thanked Councilwoman Galinas for her work in helping to bring the Chevy Branch Project to fruition. General Motors agreed to donate 3 acres of land off Chevy Boulevard to create a retention/detention basin, which was part of the proposal in the late 90s in order to alleviate flooding in the Chevy Branch area. This is a joint project with the Sewer District, City of Cleveland, and City of Parma.

Announced that this Thursday he will be swearing in a new Police Cadet and on January 18th he will be swearing in three additional Police Cadets.

Thanked the Treasurer for passage of Ordinance No. 393-07, Tax Software Project.

Thanked the residents of Parma for the opportunity for letting him serve for the last 4 years, and for electing him to another term. Thanked the members of his cabinet for their dedication and hard work. Thanked the staff and employees for their hard work. Thanked the elected officials that he serves with. Thanked the religious community in Parma. Thanked the business community.

Stated that our region faces many challenges in economy, foreclosure prices, urban sprawl, infrastructure, job losses, and the cost of health care. Although we have been hit by many of these, we have fared better than other cities similarly situated. Stated, our job as public officials is to work on things that have happened and setting a good course and giving good vision. Stated, we have enacted almost half of the recommendations of the Blue Ribbon Commission. There are some good seeds of redevelopment in the north end of the city. Stated, he is proud of the work we have done with Police reform. Stated, he is proud of our new Fire Stations and the infrastructure work we have done there. Stated, he is very proud of our Metro Parks Project. Stated, he is proud of the work we have done with Income Tax Reform in the City by equalizing taxes.

Wished everyone Happy Holidays.

Safety Director Baeppler – Stated, tonight was another affirmation that we are one of the safest cities in the United States because of our volunteer organizations: CERT, Citizens Police Academy, Parma Auxiliary. Wished everyone a Merry Christmas.

Treasurer Zielinski – Thanked Council for the passage of Ordinance No. 365-07 – Tax Software. Current Tax Software system is antiquated. This helps the City to become more efficient for our residents. They are trying to make it as easy and productive as possible for residents. Commended the Mayor and his Administration for all their efforts this past four years. Wished everyone a Merry Christmas and Happy New Year.

Law Director Dobeck – Commended the Mayor for his leadership. Stated it was an honor to serve with the Mayor and his Administration.

MISCELLANEOUS BUSINESS CONTINUED:

Auditor Kish – Wished everyone a Merry Christmas and Happy New Year.

Councilman Brennan – Stated with regard to the County Sanitary Engineer, he spoke with the City of Brecksville who said this project would be good for the residents. Stated, he put together a packet with a lot of information on this. Lakewood is also thinking about doing this. Stated, he had an amazing two terms on Council. Commended the Mayor for doing a good job and for all the support he has given him and the residents. Wished everyone Merry Christmas and a Happy New Year.

Councilman Celebrezze – Thanked the residents of Ward Three for their support of him in his first term. Stated, he is honored to be a part of this team that they have created. Wished everyone a Merry Christmas and a safe and joyous holiday season.

Councilman Day – Stated, this has been a huge group effort with some great leadership from Mayor DePiero and the other elected officials. Stated, he looks forward to moving into his fifth year and thanked the residents of Ward Four for their faith in him. Wished everyone a Merry Christmas and Happy New Year.

Councilwoman Galinas – Stated, she has seen a lot of progress during the last four years. Stated, a few years ago the City had some issues in the Public Housing Department. Stated, Chevybrook is in Ward One, and we have been having a Christmas celebration there now for 5-6 years. This year we raised about \$4,500 in donations for this party, and GM is letting us use their hall. Kudos to the Mayor and his staff in regard to what is going to happen with the Chevybrook watershed project. It is good that GM has given us this land that we can utilize for a detention basin. Wished everyone a Merry Christmas and Happy New Year.

Councilman Jech – Stated, it has been an honor to serve on this Council. Stated, he felt this group has been the most professional that he has worked with. Stated, it is also an honor to work with the Mayor and his Administration. Wished everyone a Merry Christmas and a happy and prosperous New Year.

Councilman Napoli – Thanked the Law Department for Ordinance No. 403-07. Thanked our Building Department and Mr. Don Graves for Resolution No. 393-07 – Nuisance Abatement. Stated this has been a great team to work with. Commended Mayor DePiero. Wished everyone a Merry Christmas.

Councilman Ramser – Stated, he is proud to be on this Council. Stated, he believes that people are brought together for reasons. Stated, he feels we have accomplished a great deal. Wished everyone a Merry Christmas. Thanked the residents from Ward Seven for their support.

Councilman Regas – Wished everyone a Merry Christmas and a safe and happy holiday.

Councilman Tuma – Wished everyone a Merry Christmas and Happy New Year. Stated, the Mayor has been nothing but professional, has had open communication, and his Administration has been straight forward and honest. Stated, each one of the Council members has a genuine concern about the City of Parma and wouldn't be doing this if they did not care about the residents. Congratulated Deanna O'Donnell on becoming a Judge.

Mr. Germana – Stated, the City of Parma Heights thinks very highly of their work with the Sanitary Engineer. The Sanitary Engineer doesn't come in and tell the City what the City is going to do. It's a partnership. It is amazing the amount of reports the Sanitary Engineer keeps, and

MISCELLANEOUS BUSINESS CONTINUED:

every dollar of Parma money will be accounted for. This will go on indefinitely until we can say that our sewer, storm, sanitary, water lines and infrastructure are 100% secure. If this is not worth it, we will try something else. Stated, commended Mayor DePiero for his leadership. Stated, this government has come a long way, and he is proud of the progress they are making. Wished everyone a Merry Christmas and a Happy New Year. Extended an invitation to everyone in the audience to attend the Christmas Tea after the meeting.

ADJOURNMENT

Motion made by Councilman Brennan, seconded by Councilman Day, to adjourn said regular Council meeting. Motion carried.

ADJOURNMENT

I, Thomas Mastroianni, Clerk of Council for the City of Parma, Ohio, do hereby certify that the above is a true and correct copy of the Minutes from the regular Council meeting held on Monday, December 17, 2007.

THOMAS MASTROIANNI
CLERK OF COUNCIL

CHARLES M. GERMANA
PRESIDENT OF COUNCIL

Meeting adjourned at 9:30 p.m.

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Minutes completed January 30, 2008